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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/687,384	10/16/2003	Muqtada Husain	10541-1868	2103

29074 7590 04/20/2006
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EXAMINER

LUM VANNUCCI, LEE SIN YEE

ART UNIT	PAPER NUMBER
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3611

DATE MAILED: 04/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/687,384	HUSAIN, MUQTADA	
	Examiner	Art Unit	
	Lee Lum	3611	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 December 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 7-24, 26 is/are allowed.
- 6) ☒ Claim(s) 1 and 25 is/are rejected.
- 7) ☒ Claim(s) 2-6 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Attorney R. Fergun called about 4/3/06 to discuss the previous Office Action mailed 2/13/06. He argued that Bohner did not obviate Claims 1, 2, 15, 16, 19 and 21 because the reference did not disclose "a clutch coupling the steering shaft with the road wheel based on an end-of-travel condition". He also noted that Andonian was inapplicable because the patent was assigned to the assignee of the present application.

Upon a quick review of the case, Examiner found that reconsideration of Bohner is in order because it did not disclose the above-mentioned limitation. Re the second issue, Examiner found that she overlooked Applicant's previous, and similar, remarks about Andonian, and that the reference is inapplicable as noted.

Therefore, Examiner withdraws the finality of the last Office Action, provides the following issues, and *sincerely apologizes for the inconvenience*.

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 and 25 are rejected under 35 U.S.C. 102(b) as being anticipated by Bohner et al 6220385.

Bohner discloses a system for providing an end-of-travel feedback from a road wheel to a driver of a vehicle, the vehicle having a steer-by-wire system, the system comprising

Steering mechanism including steering wheel 10, steering shaft 9, and mechanical linkage between the steering shaft and road wheels 1, including elements 3,4,11, and,

Clutch 6 coupling the steering shaft with the road wheel (c5, in 3-11) when the road wheel is at an end-of-travel position (i.e., in addition to any inclusive position).

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3. ALLOWABLE SUBJECT MATTER

a. **Claims 2-6** are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Prior art does not disclose the invention above further comprising, *inter alia*, a controller sensing an end-of-travel condition, and engaging the clutch in response.

b. **Claims 7-24 and 26 are allowable.** Prior art does not disclose the system described above further comprising, *inter alia*, the controller disengaging the clutch when the steering wheel is rotated away from the end-of-travel position.

4. RESPONSE TO REMARKS

Upon reconsideration, Examiner modifies her rejections, with reiteration of rejections on Claims 1 and 25 employing Bohner. Claim 1 is broad, and therefore reasonably interpreted as such. The reference clearly provides "a clutch coupling the steering shaft with the road wheel based on an end-of-travel condition", in addition to *all inclusive positions of the road wheel*. The claim does not contain language to differentiate/exclude the italicized (and reasonable) interpretation, such as that recited in dependent Claim 2.

Applicant is asked to note allowable subject matter.

5. Communication with USPTO/Examiner

Any inquiry concerning this communication, or others, should be directed to Ms. Lum at 571 272-6649, M-F, 9-5. If attempts to reach the examiner are unsuccessful, her supervisor, Ms. Lesley Morris is at 571 272-6651. Our fax number is 571 273 8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for unpublished applications: private PAIR only, for published applications: private or public PAIR. For more information re PAIR: <http://pair-direct.uspto.gov>. Questions re private PAIR: contact the Electronic Business Center (EBC) at 866 217-9197.

Ms. Lee S. Lum
Examiner
4/11/06

